



STUDY PROGRAMME

(1) European Legal Studies Programme

(2) Transatlantic Affairs

ACADEMIC YEAR

2018-19

SEMESTER

Second

COURSE TITLE

European Private International Law

COURSE PROFESSOR

P. Nielsen

COURSE ASSISTANTS

J. Mrozińska

NATURE OF COURSE (COMPULSORY, OPTIONAL)

Optional

LANGUAGE OF INSTRUCTION

English

ECTS CREDITS

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1. COURSE OBJECTIVES

The aim of the course is to provide participants with an excellent knowledge and understanding of European Private International Law in the area of commercial law, including the negotiation process when making new legislation.

For Master of Arts in Transatlantic Affairs students, the course improves their knowledge about the European private international law framework and its interactions with other international conventions on choice of court and choice of law. Students also gain negotiation skills since mock negotiations of the Brussels I Regulation are conducted.

2. LEARNING OUTCOMES

The course objectives tie in with the following learning outcomes of the programme **European Legal Studies**:

- 1.1. Possess advanced knowledge of the European Union (EU), its institutions, competences, substantive principles and legal doctrines
- 1.2. Possess general knowledge on the main elements of the EU's law and policy at large
- 1.3. Possess in-depth, scientific knowledge on specific areas of EU law
- 2.1. Be able to think analytically, correctly analysing complex legal problems in a multi-level legal order, the various sources of law, legal instruments and actors, and to formulate a scientifically sound position on the basis of logical reasoning
- 2.2. Be able to think dynamically, to understand the constantly changing and evolving nature of the European integration process and to provide constructive commentary on its possible future development



- 2.3. Be able to think critically, formulating an independent opinion and interpretation of complex legal problems, contextualising findings and weighing a multitude of different factors, including findings from other disciplines
- 2.4. Be able to process a large amount of information within a short amount of time and to deliver accurate and reflective outcomes
- 2.5. Be able to work with primary sources of law, such as judgments and legislation, and to reflect independently on their significance and interpretation
- 2.6. Be able to work in a multi-cultural context, understanding and mediating different legal systems, legal traditions and normative frameworks in a constructive way
- 2.7. Be able to develop, research, discuss and critically answer questions regarding a scientific research question of EU law in a scientifically responsible way
- 2.8. Have a pro-active attitude towards self-development, through self-study, lifelong learning and professional growth, particularly through preparatory reading for group discussion in the courses.
- 2.9. Draft a clear legal scientific text in the area of EU law
- 2.10. Present and defend orally an issue relating to EU law on the basis of legal argumentation or a personal position
- 2.11. Be able to study and work in the area of EU law in English and French, including through interaction with native speakers

The course objectives tie in with the following learning outcomes of the programme **Transatlantic Affairs**:

- 1.1 The graduate masters the most important theoretical approaches and concepts of, depending on his or her disciplinary focus, Economics, International Relations and Diplomacy Studies, Legal Studies and/or Political Science relevant for the analysis of transatlantic affairs.
- 1.3 The graduate has good knowledge of, depending on his or her disciplinary focus, the political and/or legal systems, the decision-making processes, the economic structures and the main internal and external policies of the European Union and the United States.
- 2.4 The graduate is capable of processing a large amount of information and appropriately analyse relevant sources depending on his or her disciplinary focus within a short period of time and of suggesting possible actions that contribute to problem-solving in a creative way.
- 2.5 The graduate has the intellectual maturity and skills to take responsibilities and function autonomously in a professional environment at national or international level, and especially in a transatlantic context, and to work efficiently and effectively through planning, organizing, setting priorities, meeting deadlines, cooperating across cultural boundaries and networking.

3. COURSE CONTENTS

The Seminar of “European Private International Law” focuses on the rules of the European Union regulating international jurisdiction of national courts in civil and commercial matters and recognition and enforcement of judgments (the Brussels I Regulation) and the choice of law rules for contracts and torts (the Rome I and II Regulations).

4. TEACHING METHOD

The seminar consists of both traditional lectures and inputs of the students. The course is interactive in the sense that students are encouraged to ask questions and participate in the debate. Moreover, students will present and discuss significant rulings of the Court of Justice in the field European Private International Law. In addition, mock negotiations of the Brussels I Regulations are organized during one of the last sessions. For that purpose, the students are divided into delegations from different Member States.



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5. FURTHER DETAILS ON THE TEACHING METHOD

Case studies and legislative negotiations.

6. COURSE MATERIAL

The required readings are the following (EPIL: European Private International Law):

1. Van Calster, Geert: European Private International Law, 2nd ed 2016.
2. Nielsen, Peter Arnt: EPIL Study Materials, College of Europe 2019. Handout (collection of articles)
3. Nielsen, Peter Arnt, Separate Handouts, Mock Negotiations, Brussels I.

7. EVALUATION

An oral examination with preparation ("open book" exam).

Exams organized in second session period are 100% written exams.